



**Monthly Report on Violations of Human Rights and freedoms in the Palestinian
Controlled Territory
December 2013**

This report presents a comprehensive overview of the major violations monitored by ICHR during the month of December 2013 in the Palestinian controlled territory. The following are the conclusions reached by ICHR based on the violations it monitored:

- ❖ Cases of unnatural death increased noticeably due to firearms use, raising ICHR's concern that the phenomenon of vigilantism and security mess could return.
- ❖ Torture and ill-treatment during detention continued, particularly in the Gaza Strip. ICHR received several complaints during the period covered by this report in this respect, especially against the Police Agency.
- ❖ In addition to the complaints ICHR received concerning violation of the right to due process of law, detention cases by decisions of the Governors' Offices without legal or fair trial guarantees continued in contravention of the Palestinian Basic Law.
- ❖ The courts in Gaza Strip still issue death sentences. Two death sentences were issued in December 2013.
- ❖ Some official security and civil authorities still procrastinate or desist from the execution of judicial decisions. ICHR received during the period covered by this report (6) complaints in this respect, besides (17) previous similar complaints.
- ❖ ICHR continued to receive complaints of expropriation of citizens' property by the security agencies in the West Bank without judicial warrants.
- ❖ ICHR received a number of complaints of violations involving infringement of the right to freedom of opinion, expression and peaceful assembly in addition to complaints on assaults on public and private property.

Violations in detail:

I. Violation of the Right to Life and Physical Safety.

ICHR monitored during December 2013 (14) death cases of which (10) in the West Bank and (4) in the Gaza Strip. As for the cause of death, they were distributed as follows: one (1) death case occurred in the detention centers in the West Bank; (4) deaths occurred due to firearms misuse (3) of which in the West Bank and (1) in the Gaza Strip; (2) deaths occurred under mysterious circumstances (1) of which in the West Bank and the other in the Gaza Strip; (4) deaths occurred due to negligence of public safety precautions of which (2) in the West Bank and (2) in the Gaza Strip. And, (3) deaths occurred due to family disputes in the West Bank in addition to (2) death sentences in the Gaza Strip.

The following provides more detail on the death toll during December 2013:

1. Deaths in the Detention Centers of the PNA.

- On 23 December 2013, **Nawaf Muhammad Kawazbeh, 49**, from the town of al-Minia near Bethlehem died in the detention center of the Preventive Security Agency in the city of Bethlehem. According to ICHR's information, Kawazbeh was detained on 16\12\2013 on criminal charges. He was brought before the Public Prosecution and Bethlehem Court of Magistrate that decided to extend his detention until 31\12\2013. The statement obtained by the Public Prosecution from the personnel in charge of guarding Kawazbeh said that "he was found hanged and hung with a cloth of a blanket at 6: pm on 23\12\2013 in his cell. He was rushed to Bethlehem Hospital where he was announced dead. His body was then taken for autopsy, and the findings of investigation are still pending.

2. Deaths due to firearms misuse and vigilantism.

- On 9 December 2013, **Hassan Mubarak Abu Mahameed, 45**, from the village of al-Fredees near Bethlehem, died of bullet wounds fired by the a police force near al-Farhat Secondary Girls School in the town of Janateh \ al-Asakreh village near Bethlehem. According to a statement by Faisal Mubarak Abu Mahameed, 22, who witnessed the incident, while he was on his way to school to bring his sisters back home at 1:30 pm on 9\12\2013, he saw Hassan Mubarak in his car next to the school waiting for his daughter. At that time, four security

servicemen with plain clothes got out of the school and one of them headed towards Hassan's car. When he held the steering wheel of the car from the front window, Hassan tried to escape without violence or resistance driving the car about (3) meters ahead. When the security serviceman fell down, his colleagues began shooting in the direction of the car and a vehicle of Special Police Force came from the western area of the school and started also shooting in the direction of the car causing it to derail and collide against an olive tree. Though it fully stopped, the police continued to shoot. After that, the Special Police Personnel went to the car, snatched Hassan and put him in the police vehicle. The statement added that the policemen were beating Hassan with clubs while trying to put him into their vehicle. After they managed that, they left the scene immediately".

The police statement said "that Hassan refused to obey the orders of the Police Force that ambushed him and they began shooting when he tried to run over one of them. It added that he was wanted by the law enforcement bodies". The Public Prosecution Chief said that the deceased was wanted by the law enforcement bodies for several criminal offences. ICHR is still waiting for the publication of the findings of investigation into this case.

- On 10 December 2013, **Nasir Authman Ebreyoosh, 23**, Police Sergeant, from the town of Bet Kahil near Hebron, died of two bullet wounds he sustained when unknown persons fired at the Police Center in the town of Taqu' near Bethlehem. According to ICHR's information, an exchange of fire happened between a number of citizens and the Police Personnel at the Police Center of Taqu' one day following the death of Hassan Abu Mahameed at the hands of the Police Force in the village of al-Asakra in Bethlehem. ICHR is still waiting for investigation finding.
- On 27 December 2013, **Rafqi Saed al-Rukh**, from Jenin's refugee camp died of wounds he sustained in a family fight in which home-made explosives' and firearms were used. The police arrived at the scene and began investigation into the incident. The body of the deceased was transferred to the Forensic Institute for autopsy and investigation into the incident is still underway. Persons belonging to the family of Abu Sbaa' in the camp are suspected of the commission of the crime. A joint security force entered the camp to prohibit renewal of the clash between the combatant families.

- On 30 December 2013, **Leen Muhammad Hassan Hameed, 17**, from Gaza city died of a bullet wound to abdomen while she was tampering with her father's pistol. According to ICHR's information, the police arrived at the scene and opened investigation into the incident.

3. Deaths under Mysterious Circumstances.

- On 1 December 2013, **Eyad Abdelkareem al-Madhoun, 41**, from Jabalia refugee camp Northern Gaza, died of a severe injury he sustained when he was subjected to torture and beating by unknown persons. According to ICHR's information, **al-Madhoun** was abducted from his house by (7) masked persons wearing police uniforms. When the neighbors gathered to examine what was happening, one of the masked persons told them that they are working for the Internal Security. The Internal Security Officer denied that categorically. After hours of the incident, al-Madhoun was found dead near Kamal Odwan Hospital in Bet-Lahia. According to the medical report, scars and blue marks were appearing on the different parts of his body. The police arrived at the scene and opened investigation into the incident. ICHR issued a statement concerning that incident in which it called for investigating the death of **al-Madhoun**, making the investigation findings available to the public and bringing perpetrators to justice.

- On 30 December 2013, **Enas Yousif Ghiada, from the town of Nahaleen near Bethlehem**, died under mysterious circumstances. According to the forensic report, **Ghiada** who was suffering mental problems died of injuries she sustained of burns resulted in infections that were not treated for more than a week. The police arrived at the scene and opened investigation into the incident.

4. Deaths due to Negligence of Public Safety Precautions.

- On 14 December 2013, **Hamzeh Saleem al-Emour, 21**, from the town of al-Fukhari in Khan Younis Governorate, died of suffocation in his house due to negligence of public safety precautions. According to ICHR's information, suffocation was caused by a coal stove he was using for keeping his room warm. The police arrived at the scene and opened investigation into the incident.

- On 26 December 2013, **Suheir Fayez Mumar, 33**, from Khan Younis refugee camp, died of suffocation in her house due to negligence of public safety precautions. According to ICHR's information, suffocation was caused by a coal stove she was using to keep her room warm. The police arrived at the scene and opened investigation into the incident.
- On 15 December 2013, **Haneen Ahmad Deiryeh, 18, from the town of Bet-Fagar in Bethlehem Governorate**, died of not having dialysis on time. The ambulance crew was not able to reach her home to transport her to hospital for dialysis due to the snow storm that hit the West Bank.
- On 14 December 2013, **Najih Muhammad Za'reer**, who was disabled, died of falling from the second floor of his house in the town of Samu' in Hebron Governorate during the snow storm. The police arrived at the scene and opened investigation into the incident. The Public Prosecution Office of Dura told ICHR that there was no criminal action behind that case.

5. Deaths in Family Disputes and Manslaughter.

- On 6 December 2013, **Raed Tawfeeq Ibrahim Dawoud, 33**, from Qalqilia, died of bullet wounds to different parts of his body when unknown persons fired at him in al-Marg area in North Qalqilia. According to ICHR's information, the police arrived at the scene and opened investigation into the incident. The findings of the investigation conducted by the Public Prosecution indicated there was a personal dispute between the deceased and the perpetrator who was arrested by the police.
- On 12 December 2013, **Fuad Ezat al-Jayoosi, 44**, from Tulkarem died from stab wounds in a family fight. According to ICHR's information, the police arrived at the scene and opened investigation into the incident. They arrested the suspect for trial.
- On 30 December 2013, **Zuheir Mahmoud al-Qirim, 33, Mosque's Imam**, from the village of Jalqamous in Jenin Governorate, died of a bullet wound to the head. According to ICHR's information, the perpetrator shot and killed al-Qirim in a family fight. The Public Prosecution arrived at the scene and started investigation into the incident. The perpetrator hasn't been captured yet.

6. Death Sentence.

- On 8 December 2013, Gaza Supreme Military Court sentenced (Z.A.Z), 40, from Gaza, to death by hanging after convicting him of treason and complicity in murder in contravention of the Palestinian Penal Law of 1979. The said citizen was sentenced by Permanent Military Court in Gaza to life in prison on 30 June 2011, but the Military Prosecution filed an appeal against the decision.
- On 9 December 2013, Gaza Supreme Military Court upheld the death sentence issued by the Permanent Military Court in Gaza against (A.A.K), 31, from Khan Younis. The Permanent Military Court sentenced (A.A.K) to death by firing squad on 22 September 2010 after convicting him of treason and complicity in murder in contravention of the Palestinian Penal Law of 1979.

7. Injuries due to Firearms Misuse and Vigilantism.

- On 27 December 2013, a number of persons were injured during an armed clash between citizens and a force of the General Intelligence in Jenin refugee camp. The General Intelligence force entered the refugee camp in an attempt to detain Mahmoud al-Sa'di, who has been wanted by the Security Agencies since three months. While he was trying to solve a dispute between two families in the camp, five armed persons of the General Intelligence, one of them was wearing plain clothes, while the others were wearing black clothes, approached al-Sa'di. While the person with plain clothes caught him from the back, the others started shooting in his direction injuring him in the left foot. Once he fell down on the ground, they sprayed his face with gas. While they started dragging him, citizens gathered and started to hurl stones at them. Eyewitnesses stated that there was no armed clash. The General Intelligence Personnel started firing injuring Omar al-Faran, 80 years old in the foot, Aysheh Ahmad Khaleel Jabir, 60, in the chest, Fathi Basam al-Sa'di, 21, in the chest and Yahia al-Sa'di, 18, in the chest. Yahia was rushed to Rafeidia Hospital in Nablus for a surgery. After that, he was transferred to Gneid Detention Center by a decision of the Governor of Jenin. The others were transferred to Jenin Hospital, except for Mahmoud al-Sa'di in fear of getting detained from hospital.

- On 21 December 2013, **Midhat Mazen Mu'mar, 12**, from Rafah sustained a bullet wound to the left leg while standing next to his house. The source of fire remained unknown. The child was transported by ambulance to the European Hospital in Khan Younis. The police arrived at the scene and opened investigation into the incident.
- On 28 December 2013, **Ibrahim Darweesh Abu Ayash, 24**, from Balata refugee camp in Nablus, sustained a bullet wound in the leg when masked persons were firing. His condition was described as moderate. The police arrived at the scene and opened investigation into the incident. It is likely that they were shooting randomly, not targeting him.

7. Torture during Detention – Cruel and Degrading Treatment.

ICHR received during the period covered by this report (64) complaints of torture and ill-treatment of which (13) in the West Bank and (51) in the Gaza Strip. These complaints were filed against the security agencies in the West Bank as follows: (5) against the Police Agency; (1) against the Preventive Security Agency; (6) against General Intelligence Agency and (1) against Military Intelligence Agency. In the Gaza Strip, they were distributed as follows: (47) complaints against the police agency and (4) against the internal security.

These complaints included allegations of different patterns of torture such as beating, punching, standing in difficult condition for a long time and ill-treatment.

II. Violation of the Right to Due Process of Law – Including Arbitrary and Political Detention.

- ICHR received during the period covered by this report (26) complaints of political or arbitrary detention in the West Bank. It also received during the same period (35) complaints of violations involving the right to fair trial, inappropriate detention procedures, non-separation of inmates and political detention. It also documented several cases of detention carried out upon decisions by Governors without respect of the guarantees of the Palestinian Basic Law.

III. Violation of the Freedom of Opinion, Expression, Press and Peaceful Assembly.

- On 29 December 2013, the Internal Security Agency in Gaza Strip prohibited the Journalists Syndicate from holding a meeting to discuss some issues related to the rights of the staff of the Palestinian Broadcasting Corporation, Wafa News Agency and al-Hayyat al-Jadeeda Newspaper. Member of the General Secretariat of the Journalists Syndicate said that the Syndicate received a telephone call from the Internal Security, (2) hours before the appointment of the meeting, informing them that they can't hold the meeting under the pretext of having no permission from the competent authorities. They also received another call from the same person half an hour after the first call informing them that they would be held accountable, should they not cancel the meeting. Indeed, they informed the participants of their decision to cancel the meeting.

- on 21 December 2013, the Governor of Jenin prohibited the National and Islamic Forces of commemorating the second anniversary of the death of the Sheikh Muhammad Abu Zeid, Preacher of the Aqsa Mosque. According to ICHR's information, the General Intelligence Agency informed the administrator of al-Wadi al-Akhdar Hall, in which the event was expected to be held, of the cancellation of the event. Furthermore, members of the Preventive Security Agency threatened of sealing off the Hall if the event was held. The Governor of Jenin said in response to the decision of prohibiting such event that he didn't receive a request in writing to that effect.

- On 26 December 2013, Special Police Force broke into Dura International Stadium in Hebron Governorate following a football match organized between Dura Youths Club and Hebron Youths Club on the occasion of Palestine Championship Cup. According to ICHR's information, the police opened the gate of the stadium and beat the players of Dura team when the goal keeper of Dura team objected the decision of the referee to account a penalty score in favour of the Hebron team. The Director of the Stadium, Wleed Abdelazeez Swieti, was also beaten by the police. ICHR received (7) complaints from players and staffers of the Municipal Council of Dura claiming that they were subjected to beating, punching and kicking by the police. They asked for holding the policemen who assaulted them accountable.

- ICHR received two complaints from Nael Sulaiman Rajoub and Ibrahim Muhammad Ankawi, working for Wattan News Agency, in which they claimed that security servicemen with plain clothes prohibited them from filming near the Presidential Compound in Ramallah and confiscated their cameras. They were also held and questioned by the security services in the Presidential Compound for three hours. Then, they were transferred to the Police Center in Ramallah on the pretext that the Presidential Guard Agency filed a complaint against them. They were released from the Police Center at night. They were also given their cameras back but without the tapes.

IV. Assault on Persons, Public and Private Property.

- On 1 December 2013, while the staff of the Electricity Company of Hebron Municipality were examining the electrical lines of al-Edeesa area near the town of Sa'er in Hebron Governorate, (15) citizens attacked them. The attack happened when they discovered that one of the electricity lines was stolen. The staffers who were attacked are : Ghasan Muhammad Abdullah Gwehan, 49; Tareq Muhammad Ziad Muhammad Ribhi Edies, 36; Ahmad Muhammad Dawoud Dadush Zahdeh 58; Magid Husni Sulaiman al-Natsheh, 51; Muhammad Shahir Adulhamid Ahmad Qawasmeh, 27.
- On 23 December 2013, Four relatives of a student of al-Mahd Primary Boys School in Bethlehem attacked the education staff of the school. According to a statement by Kamel Danun, Teacher of English Language, four citizens broke into the school and the office of the principal. They destroyed the furniture of the office and mobile phones. He added that one of the attackers threatened the Social Counselor of the school (Hatem Zebun) with a sharp tool. The police arrived at the scene and started investigation into the incident.
- On 18 December 2013, Unknown persons fired in the direction of the Ministry of Waqf and Religious Affairs in al-Bireh city while the Minister was in his office. The police arrived at the scene and opened investigation into the incident. No injuries were reported.

V. Violation of the Right to Movement and Travel.

- On 29 December 2013, **Amal Tawfeeq Hamad, Member of Fateh Central Committee**, called the Representatives of the National and Islamic Forces in Gaza to coordinate with the competent authorities her travel to Ramallah through Rafah or Bet-Hanun Crossing. They called the competent authorities to let her through but to no avail. She said that she asked Representatives of the Islamic and National Forces to mediate because she tried many times to travel outside Gaza but the authorities manning the crossing prohibited her. Her last attempt was on 17-11-2013.

VI. Expropriation of Citizens' Property Without Judicial Warrant.

- On 8 December 2013, ICHR received a complaint from **Shakir Abdulrahman al-Gneidi**, from Hebron, in which he claimed that the Preventive Security Agency detained his brother Ashraf al-Gneidi. They released him but kept his Laptop and mobile phone confiscated.
- On 2 December 2013, ICHR received a complaint from **Yousif Muhsin al-Zakeek**, from Hebron, in which he claimed that the General Intelligence Agency detained his son Muhammad and confiscated his computer.
- On 2 December 2013, ICHR received a complaint from **Miqdad Ahmad Darweesh**, from Hebron, in which he claimed that the Preventive Security Agency detained him and confiscated his Laptop, mobile phone. He was later released but hasn't restored his belongings.
- On 26 December 2013, ICHR received a complaint from **Bahgat Salem Abu Haleel**, from Hebron, in which he claimed that the Preventive Security Agency detained his son on 24 December 2013 and confiscated his Laptop, mobile phone and passport.
- On 26 December 2013, ICHR received a complaint from **Raed Mutlaq Abu Gheisheh**, from Hebron, in which he claimed that the Preventive Security Agency detained him on 24 December 2013 and released him on 25th of the same month. They kept his identity card confiscated.

VII. Delay in Implementation of Courts' Decisions.

ICHR received during December 2013 (6) complaints on non-implementation of courts' decisions. (4) of these decisions were implemented by the start of 2014 following ICHR's intervention. These complaints were distributed as follows:

- ICHR received a complaint from the father of Mu'men Muhammad Mahmoud Hatab, from Tulkarem, in which he claimed that his son "Mu'men" has been detained by the General Intelligence since 4 December 2013 though the court decided his release on 19 December 2013. The Intelligence Agency hasn't implemented the court's decision until the time of writing this report.

- ICHR received a complaint from Zuheir Ahmad Sa'deh, working for the Ministry of Tourism and Antiquities, in which claimed that he asked for the implementation of the High Court's decision to reinstate him as a Director of the Licensing Department and re-evaluate his performance of 2012 to get his grade which has been due since March 2012. He has been working as Director of the Licensing Department at the Ministry of Tourism and Antiquities since 2006. The decision of the court hasn't been implemented until the time of writing this report.

There are still (17) unimplemented decisions issued by courts in the West Bank long ago.